

**MINUTES
FREMONT CITY COUNCIL REGULAR MEETING
JANUARY 13, 2009
FREMONT CITY HALL
7:00 P.M.**

1. PRELIMINARY

- 1.1 Call to Order:** Mayor Wasserman called the meeting to order.
- 1.2 Flag Salute:** Vice Mayor Natarajan led the salute to the flag.
- 1.3 Roll Call:** Present: Mayor Wasserman, Vice Mayor Natarajan, Councilmembers: Wieckowski, Harrison, and Chan.
- 1.4 Announcements by Mayor/City Manager**

Mayor Wasserman announced vacancies on various Advisory Bodies.

2. CONSENT CALENDAR

- * **2.1 Waive Reading of Ordinances:** The City Attorney read the titles of ordinances to be considered.

On a motion by Councilmember Wieckowski, seconded by Vice Mayor Natarajan, the City Council waived further readings of proposed ordinances.

Ayes:	Mayor Wasserman, Vice Mayor Natarajan, Councilmembers: Wieckowski, Harrison and Chan
Noes:	None
Absent:	None
Abstain:	None

- * **2.2 Approval of Minutes – None.**
- * **2.3 Mayor Wasserman opened consideration of the Adoption of a Resolution to Substitute Maintenance Facility for Three City Properties Securing the 2008 Fixed Rate Certificates of Participation (COPs)**

On a motion by Councilmember Wieckowski, seconded by Vice Mayor Natarajan, the City Council:

1. Adopted Resolution No. 2009-5 authorizing the substitution of the Maintenance Center Building for the three City properties presently subject to leases with the Fremont Public Financing Authority which secure the 2008 fixed rate certificates of participation debt service payments, and

2. Authorized the City Manager or his designee to execute all documents necessary to effectuate this substitution.

Ayes: Mayor Wasserman, Vice Mayor Natarajan,
Councilmembers: Wieckowski, Harrison and Chan
Noes: None
Absent: None
Abstain: None

*** 2.4 Mayor Wasserman opened consideration of the Authorization of the City Manager to Execute a 1 Year Litter Abatement Contract with Imhof Tractor Service, Inc., for \$65,300 with Option to Extend for Two Additional Years for a Total Possible Value Not-To-Exceed \$206,000**

On a motion by Councilmember Wieckowski, seconded by Vice Mayor Natarajan, the City Council:

1. Authorized the City Manager or his designee to enter into an agreement with Imhof Tractor Services, Inc., for litter abatement services in the amount not exceed \$65,300 as described in the staff report.
2. Authorized the City Manager or his designee, at the City Manager's discretion, to approve and execute up to two one-year extensions to the contract with Imhof Tractor Services, Inc., for litter abatement services in an amount not-to-exceed \$68,565 for the first year extension, and an amount not to exceed \$71,993 for the second year extension.

Ayes: Mayor Wasserman, Vice Mayor Natarajan,
Councilmembers: Wieckowski, Harrison and Chan
Noes: None
Absent: None
Abstain: None

*** 2.5 Mayor Wasserman opened consideration of the Approval of the Contract for Roadway Pavement Condition Surveys and Analysis with Nichols Consulting Engineers, Chtd, and Appropriate \$40,000 Grant for the 2009 Pavement Management Program Update, 8657 (PWC)**

On a motion by Councilmember Wieckowski, seconded by Vice Mayor Natarajan, the City Council:

1. Authorized the City Manager or his designee to execute a service agreement with Nichols Consulting Engineers, Chtd., for pavement condition surveys and analysis as required to update the City's Pavement Management System, in an amount not to exceed \$124,900.
2. Appropriated funds in the grant amount of \$40,000 to 502PWC8657.

Ayes: Mayor Wasserman, Vice Mayor Natarajan,
Councilmembers: Wieckowski, Harrison and Chan
Noes: None
Absent: None
Abstain: None

*** 2.6 Mayor Wasserman opened consideration of the Transmittal of FY 2007/08 Audit Reports**

On a motion by Councilmember Wieckowski, seconded by Vice Mayor Natarajan, the City Council received the audit reports.

Ayes: Mayor Wasserman, Vice Mayor Natarajan,
Councilmembers: Wieckowski, Harrison and Chan
Noes: None
Absent: None
Abstain: None

*** 2.7 Mayor Wasserman opened consideration of the Authorization for the City Manager to Sign FY 2008/09 Memorandum of Understanding with the Alameda County Health Care Services Agency for the Medi-Cal Targeted Case Management Program**

On a motion by Councilmember Wieckowski, seconded by Vice Mayor Natarajan, the City Council authorized the City Manager or designee to sign a Memorandum of Understanding to enable the City to receive reimbursement for family case management and senior case management services provided to Medi-Cal eligible clients as part of the FY 2008/09 Targeted Case Management program.

Ayes: Mayor Wasserman, Vice Mayor Natarajan,
Councilmembers: Wieckowski, Harrison and Chan
Noes: None
Absent: None
Abstain: None

*** 2.8 Mayor Wasserman opened consideration of the Authorization of the Application for Proposition 1B Local Streets and Roads Funds and Amend Adopted FY 2007/08 – 2011/12 Capital Improvement Program to Appropriate Proposition 1B funds to Street Overlay Project PWC 8234 for the Fiscal Year 2008/09**

On a motion by Councilmember Wieckowski, seconded by Vice Mayor Natarajan, the City Council:

1. Authorized staff to apply for the allocated Proposition 1B funds.
2. Amended the FY 2007/08 – 2011/12 Capital Improvement Program (CIP) to appropriate the \$3,146,639.68 of Proposition 1B Local Street and Road Improvement Funds to the Street Overlay Project (527PWC8234) for FY 2008/09.

Ayes: Mayor Wasserman, Vice Mayor Natarajan,
Councilmembers: Wieckowski, Harrison and Chan
Noes: None
Absent: None
Abstain: None

*** 2.9 Mayor Wasserman opened consideration of a Public Hearing (Published Notice) to Consider Revising the Master Fee Schedule to Include New FRC Mental Health Service Fee Category and Rates**

On a motion by Councilmember Wieckowski, seconded by Vice Mayor Natarajan, the City Council:

1. Held a public hearing.
2. Adopted Resolution No. 2009-6 to incorporate a fee schedule change to add FRC mental health services fees, as described in the staff report, to the Master Fee Schedule.

Ayes: Mayor Wasserman, Vice Mayor Natarajan,
Councilmembers: Wieckowski, Harrison and Chan.
Noes: None
Absent: None
Abstain: None

3. CEREMONIAL ITEMS – None.

4. PUBLIC COMMUNICATIONS

4.1 Oral and Written Communications – None.

5. SCHEDULED ITEMS – None.

5.1 Mayor Wasserman opened consideration of a Public Hearing to Consider Adoption of an Ordinance Regulating the Operation of Specified Places of Entertainment by Requiring Operators to Obtain an Entertainment License

City Attorney Harvey Levine provided a summary of the staff report. Staff responded to questions from Councilmembers. Mayor Wasserman opened the public hearing. Fred Kim (Imperial Investment & Development) expressed concern related to various aspects of the proposed ordinance. There were no other speakers. Mayor Wasserman closed the public hearing. Councilmembers provided comment.

On a motion by Councilmember Harrison, seconded by Vice Mayor Natarajan, the City Council:

1. Held a public hearing.
2. Found the project exempt from the California Environmental Quality Act under guideline 15061(b)(3) in that it can be seen with certainty it will not have a significant effect on the environment.
3. Introduced an ordinance amending Title V of the Fremont Municipal Code by adding Chapter 14, entitled “Places of Entertainment Regulations” as set forth in the draft ordinance.

Ayes: Mayor Wasserman, Vice Mayor Natarajan,
Councilmembers: Wieckowski, Harrison and Chan

Noes: None
Absent: None
Abstain: None

6. REPORT FROM CITY ATTORNEY

6.1 Mayor Wasserman opened consideration of a Report Out from Closed Session of Any Final Action – None.

7. OTHER BUSINESS

(Item 7.1 was taken out of order and heard before item 5.1)

7.1 Mayor Wasserman opened consideration of the Staff Update and City Council and Redevelopment Agency Guidance on Potential Disposition and Development of the Former City Corporation Yard Located at 37350 Sequoia Road in the Centerville Redevelopment Project Area

On a motion by Councilmember Harrison, seconded by Councilmember Chan, the City Council agreed to wait until the Plan Amendment is adopted before taking any action regarding the disposition and development of the former Corporation Yard site.

Ayes: Mayor Wasserman, Vice Mayor Natarajan,
Councilmembers: Wieckowski, Harrison and Chan
Noes: None
Absent: None
Abstain: None

8. COUNCIL COMMUNICATIONS

8.1 Council Referrals

8.1.1 Mayor Wasserman opened consideration of the Appointment of Tim Tran to the Redevelopment Agency Relocation Appeals Board with a term expiring December 31, 2010.

By consensus, the City Council appointed Tim Tran to the Redevelopment Agency Relocation Appeals Board for a term to expire on December 31, 2010.

8.2 Oral Reports on Meetings and Events – None.

9. ADJOURNMENT: There being no further business, Mayor Wasserman adjourned the meeting at 9:05 p.m.

Attest:

Approved:

Dawn G. Abrahamson, City Clerk

BOB WASSERMAN, Mayor